

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AARON GOLLAND; TIMOTHY PARKER; JOSE SANTIAGO; and LANCE SMITH, individually and on behalf of all others similarly situated,

Case No. 1:24-cv-6270-GHW-GWG

Plaintiff,

v.

MAJOR LEAGUE BASEBALL  
ADVANCED MEDIA, L.P.,

Defendant.

**DECLARATION OF LANCE SMITH IN SUPPORT OF PLAINTIFFS'  
MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

I, Lance Smith, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 and based on my own personal knowledge, that the following statements are true:


1. I am one of the named Plaintiffs in this action. I make this Declaration in support of Plaintiffs' Memorandum in Opposition to Defendant's Motion to Dismiss.

2. On April 17, 2008, I subscribed to [www.MLB.com](http://www.MLB.com). During that process, I was not presented with any terms of use or a privacy policy.

3. I regularly used my subscription to [www.MLB.com](http://www.MLB.com) and [www.MLB.tv](http://www.MLB.tv) to watch prerecorded videos between August 20, 2022 and February 5, 2024.

I declare, under penalty of perjury, pursuant to the laws of the United States of America, that the foregoing is true and correct.

Executed this 7<sup>th</sup> day of February 2025 in Chattanooga, Tennessee.

  
Lance Smith (Feb 7, 2025 16:59 EST)  
*Lance Smith*